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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,108	05/30/2002	Ian J Forster	P/61827-PCT	1547
156	7590	07/30/2004	EXAMINER	
KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C. 489 FIFTH AVENUE NEW YORK, NY 10017			TWEEL JR, JOHN ALEXANDER	
		ART UNIT		PAPER NUMBER
		2636		
DATE MAILED: 07/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/048,108	FORSTER, IAN J
<b>Examiner</b>	<b>Art Unit</b>	
John A. Tweel, Jr.	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 05 May 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 28-54 is/are pending in the application.  
4a) Of the above claim(s) 53 and 54 is/are withdrawn from consideration.

5)  Claim(s) 28-52 is/are allowed.

6)  Claim(s) \_\_\_\_\_ is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date . . . .  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: . . . .

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of claims 28-52 in the reply filed on 5/5/04 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

### ***Specification***

2. The disclosure is objected to because of the following informalities:
  - There are no sub-headings such as Summary of the Invention, Brief Description of the Drawings, and Detailed Description of the Invention. Please see the enclosed references as examples.
  - Page 1, Line 16: There needs to be a word such as --a-- before the word "limited".
  - Page 4, Line 4: The second occurrence of "a" needs to be replaced with --of--.
  - Page 7, Line 20: The correct form of the verb should read --comprise-- in this line.
  - Page 17, Lines 5, 6, and 8: The specification mentions a coil No. 320; however, the only coil in Figure 3 is numbered 310.

- Page 24, Line 7: The word "made" appears incorrect. The word --mode-- would be more proper.

Appropriate correction is required.

3. This application is in condition for allowance except for the following formal matters:

As noted above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

4. The following is a statement of reasons for the indication of allowable subject matter:

Piezo-electric transformers are certainly not new in the prior art. This particular type of transformer has at least been around since **Nicholson** [U.S. 1,863,345]. However, receiving input radiation and generating a received signal that is then used for increasing voltage magnitude of said signal to power electronic circuit means as a result of the supply potential is a new and unobvious use for said transformer. The transformer has been used to determine the filling level of a container as seen in **Pfandler** [U.S. 5,408,168] and also to operate a discharge lamp as seen in **Ganser et**

**al** [U.S. 6,111,765], but the use of one to increase voltage magnitude of a received radiation signal such as that found in the applicant's system.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Hutchisson et al** [U.S. 5,132,665] uses a piezo electric transformer to power a back-up alarm.

**Iguchi et al** [U.S. 5,886,514] stabilizes load current using a piezo electric device.

**Sokolov** [U.S. 5,942,858] supplies direct current pulses for improved efficiencies.

**Huang et al** [U.S. 5,969,462] drives a transformer circuit with a piezo electric resonator.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Tweel, Jr. whose telephone number is 703 308 7826. The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on 703 305 4717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAT  
7/23/04



JOHN TWEEL  
PRIMARY EXAMINER